United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

Alton B. Hornback

Plaintiff,

v.

United States of America

Defendant

No. 08cv127-WQH-BLM

FILED 08 MAY 19 AM 11:28 CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY: DEPUTY

REPORT OF CLERK AND ORDER OF TRANSFER PURSUANT TO "LOW-NUMBER" RULE.

REPORT OF CLERK PURSUANT TO LOW NUMBER RULE

Re: "Low Numbered" Case No. 07cv289-JLS-AJB

Title: Hornback v. USA

Nature of Case: 35:183 Patent Infringement

The above "low numbered" case and the present case appear

X (1) to arise from the same or substantially identical transactions, happenings or events; or

X (2) involve the same or substantially the same parties or property; or

X (3) involve the same patent or trademark or different patents or trademarks covering the same or substantially identical things; or

X (4) call for determination of the same or substantially identical questions of law; or

___ (5) where a case is refiled within one year of having previously been terminated by the Court; or

X (6) for other reasons would entail unnecessary duplication of labor if heard by different judges.

New Case #: 08cv127-JLS-AJB

This case was transferred pursuant to the Low Number Rule. The related cases have been assigned to the same judge and magistrate judge but they are NOT CONSOLIDATED at this point; all pleadings must still be filed separately in each case.

W. Samuel Hamrick, Jr., Clerk of Court ,

DATED: May 9, 2008 By: s/M. Cruz

(By) M. Cruz, Deputy

ORDER OF TRANSFER PURSUANT TO "LOW NUMBER" RULE

I hereby consent to transfer of the above-entitled case to my calendar pursuant to Local Rule 40.1, Transfer of Civil Cases under the "Low Number" Rule.

DATED: 5/13/08 [signature]

Janis L. Sammartino
United States District Judge

It appearing that the above-entitled case is properly transferable in accordance with the provisions of the "Low Number" Rule, IT IS HEREBY ORDERED that this case is transferred to the calendar of Judge Janis L. Sammartino and Magistrate Judge Anthony J. Battaglia for all further proceedings.

DATED: 5/15/08 [signature]

William Q. Hayes
United States District Judge